

REMARKS

The specification has been reviewed, and clerical errors of the specification have been amended.

In paragraph 5 of the Action, claims 1, 3 and 4 were rejected under 35 U.S.C. 102(a) as being anticipated by Hayashi.

In view of the rejection, claim 1 has been amended, and new claims 5-13 readable on the elected species have been filed. Claims pending in the application are patentable, as explained below.

A damper of Hayashi includes a housing 10, a rotor 20, and a cover member 28. The rotor 20 includes a base 26 having a ring shape, and fin portions 24 projecting from the base 26 through narrowed portions 38. In operation, the fin portions 24 are slightly bent at the narrowed portions 38.

In the Action, it was held that multiple air retention portions (the opening between each (24) in fig. 3) are provided in said resistive portion in a circumferential direction, and an air movement passage (fig. 2, see recess at the (24)) connecting the air retention portions is provided.

In claim 1 now amended, it is defined that the housing has a first distance between the air movement passage of the resistive portion and a part of the inner surface directly facing thereto, and a second distance between a portion of the resistive portion radially away from the air movement passage and a part of the inner surface directly facing thereto, said second distance being less than the first distance. In particular, the first distance may be between the upper surface of the resistive portion and the surface of the groove 54, and the second distance may be between the upper surface of the resistive portion and the surface outside the groove 54, shown in Fig. 20. The second distance is shorter than the first distance.

In Hayashi, since the projection 40 is curved inwardly at two lateral ends as shown in Fig. 3, a lateral distance between the projection 40 (40A or 40B) and a vertical surface of a large diameter stage 16 is provided, as shown in Fig. 2. However, the distance from the upper surface of the rotor to the inner surface of the cover member 28 is substantially constant. There are no first and second distances different from each other. Thus, the feature in claim 1 is not disclosed in Hayashi.

In claim 8, it is defined that the resistive portion includes multiple air retention portions provided in said resistive portion in a circumferential direction, and air movement passages connecting two of the air retention portions, each of said air retention portions being formed by a through-bore completely surrounded by a periphery.

In Hayashi, the air retention portion is regarded as a portion between the fin portions 24, which is open radially outwardly, as clearly shown in Fig. 3. Thus, each of the air retention portions is NOT formed by a through-bore completely surrounded by a periphery. Thus, the feature in claim 8 is not disclosed in Hayashi.

In claim 11, it is defined that the housing includes a circumferential groove facing the air retention portions and operating as an air movement passage connecting two of the air retention portions. Namely, the grooves 13a, 54 as shown in Fig. 20 form the air movement passage.

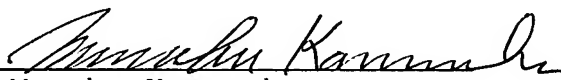
Hayashi does not have a groove in the housing forming the air movement passage. Thus, the feature in claim 11 is not disclosed in Hayashi.

As explained above, claims 1, 8 and 11 are not disclosed in Hayashi. Claims pending in the application are patentable over Hayashi.

Reconsideration and allowance are earnestly solicited.

One month extension of time is hereby requested. A credit card authorization form in the amount of \$120.00 is attached herewith for the one month extension of time.

Respectfully Submitted,

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